



FLAY.00035

Patent #? Election 8-18-03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brewer

Serial Number: 09/774,892

Filing Date: January 31, 2001

Title: Regulatory Gate System for Product Drop Off of Vibratory Conveyors

Examiner: Richard Ridley

Art Unit: 3651

Commissioner for Patents  
Alexandria, VA 22313

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JUL 31 2003

RESPONSE TO ELECTION REQUIREMENT

GROUP 3600

Sir:

In response to the Office Action mailed June 27, 2003, the Applicant offers the following remarks:

ELECTION

The Examiner issued an election requirement pursuant to 35 U.S.C. § 121 requiring the Applicant to elect a single, disclosed group of claims for prosecution on the merits. Applicant respectfully traverses this election requirement as improper, but provisionally elects Group I in order to advance the prosecution of this case. The Examiner has also required the election of one of three species. Applicant respectfully traverses this election requirement as improper, but provisionally elects Species I in order to advance the prosecution of this case. Claims 1-5, 9, 10, and 11-14 of the elected claims 1-18 are readable on Species I.